

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

DOCKET NO. 1999-179-C

In re:)
)
Application of Legacy Long Distance)
International, Inc. for Reinstatement of)
Certificate of Public Convenience and)
Necessity to Provide Intrastate Resold)
Telecommunications Services and for)
Alternative Regulation Within the State)
of South Carolina)
_____)

DIRECT TESTIMONY OF RAFAEL QUINTO

1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Rafael Quinto. My business address is 10833 Valley View St. Suite 150, Cypress,
4 California 90630.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by Legacy Long Distance International, Inc. ("Legacy") and act as its Vice President
7 of Operations.

8 **Q. Please give a brief description of your background and experience in business and**
9 **telecommunications.**

10 A. As Vice President of Operations, I have been an integral part of the Legacy team since 1998. I
11 built and am head of Legacy's Customer Service Support Center, serve as Regulatory Compliance
12 Director in both the Pay-Telephone and Inmate Telephone markets; as well as oversee Fraud
13 Controls. I hold a B.A. in Economics from California State University, Fullerton.

14 **Q. What is the purpose of your testimony?**

1 A. The purpose of my testimony is to describe the nature of Legacy's proposed service offerings within
2 the State of South Carolina, and to demonstrate its financial, managerial, and technical ability to
3 provide the telecommunications services for which reinstatement of its authority is sought.
4 Through my testimony, I also intend to demonstrate how Legacy has improved its management of
5 regulatory matters since its Certificate was revoked by the Commission.

6 **Q. Do you intend to incorporate by reference any documents into your testimony?**

7 A. Yes. I wish to incorporate by reference the underlying Application filed in this proceeding and its
8 associated exhibits.

9 **Q. Are all of the statements in Legacy's Application correct and true to the best of your**
10 **knowledge, information and belief?**

11 A. Yes.

12 **II. THE BUSINESS OF LEGACY**

13 **Q. Has Legacy registered to do business in South Carolina?**

14 A. Yes. Legacy is registered with the South Carolina Secretary of State as a foreign corporation.
15 Legacy is incorporated in the State of California. Legacy's certificate of authority in South Carolina
16 was recently reinstated after having paid owed taxes. A copy of the qualifying documents is
17 attached to the Application as Exhibit A.

18 **Q. Please describe the services Legacy intends to provide within the State of South Carolina.**

19 A. As it did previously, Applicant proposes to provide 1+ direct dialed calls, 0+ calls, toll-free services,
20 operator-assisted services, and travel card services. Legacy proposes to market its service to hotel
21 management groups by using inside sales representatives and mailers. Legacy also proposes to
22 provide resold interexchange telecommunications via automated operator assistance calling
23 services to inmates in confinement facilities. Legacy will not directly market to residential
24 customers.

25 **Q. How does Legacy intend to provide services in South Carolina?**

1 **A.** Legacy is requesting reinstatement of its state-wide authority to provide both local exchange and
2 interexchange services within South Carolina. Legacy will provide telecommunications services
3 through facilities owned by other carriers and through the facilities of ILECs operating in South
4 Carolina.

5 **Q.** **Is Legacy currently authorized to provide intrastate telecommunications services in any other**
6 **states?**

7 **A.** Yes. Legacy is authorized to provide local exchange and/or interexchange telecommunications
8 services in 49 other states.

9 **Q.** **Does Legacy intend to file tariffs with the Commission?**

10 **A.** Yes. Legacy has submitted a draft local exchange / long distance tariff as Exhibit E of the
11 Application. We believe that Legacy's proposed tariff comports with all orders, rules, and
12 regulations of the Commission.

13 **Q.** **Will Legacy comply with the Commission's orders regarding the resale of interexchange**
14 **carrier services?**

15 **A.** Yes. Legacy will, at all times, provide and market interexchange carrier services in accordance
16 with current Commission policies. In addition, Legacy provides, at all times, interstate services in
17 compliance with all FCC rules and regulations.

18 **Q.** **Has Legacy provided any intrastate telecommunications services within the State of South**
19 **Carolina?**

20 **A.** Since 1999, when Legacy Long Distance International, Inc. was originally granted certification by
21 the Public Service Commission of South Carolina, it has successfully provided long distance
22 services to privately owned public pay telephone companies such as Intera, LLC and PTS, Inc.,
23 which combined serviced over 200 public pay-telephones through South Carolina.

24 As discussed in the Application, Legacy currently has one telecommunications customer
25 in South Carolina, the Newberry County Detention Center. At the time Legacy initially contracted
26 with Newberry, it was not aware of the status of its Certificate, and it did not intend to operate

1 under an inactive Certificate. Now that it is aware of the inactive status of its Certificate, Legacy
2 seeks reinstatement on a retroactive basis to cover its period of service.

3 **Q. What rates will Legacy charge customers upon reinstatement of certification?**

4 A. Legacy will charge end users the tariff rates approved by the Commission.

5 **Q. How will Legacy market services in South Carolina?**

6 A. Legacy will market services in South Carolina to carriers and enterprise customers directly through
7 its sales force and through mailers.

8 **Q. What Regulatory Treatment is Legacy seeking in this Application?**

9 A. Legacy requests flexible regulation for its telecommunications services such as that granted by the
10 Commission in Order No. 98-165 in Docket No. 97-467-C. Legacy specifically requests that the
11 Commission: (a) adopt for local exchange services a competitive rate structure incorporating
12 maximum rate levels with the flexibility for rate adjustment below the maximum rate levels; and
13 (b) presume that its tariff filings for local exchange services is valid upon filing, subject to the
14 Commission's authority, within thirty (30) days, to institute an investigation of such filings. At the
15 discretion of the Commission, such filings may be suspended pending further order of the
16 Commission and any such filings may be subject to the same monitoring process as the Commission
17 applies to other, similarly situated carriers.

18 Legacy further requests that private line offerings and interexchange business service
19 offerings be regulated pursuant to the procedures described and set out in Docket No. 95-661-C, as
20 modified by Order No. 2001-997-C in docket No. 2000-407-C. It is Legacy's intent by this request
21 to have its business services regulated in the same manner as this Commission has permitted for by
22 AT&T Communications of the Southern States. Specifically, Legacy requests that:

23 (a) maximum rate tariff requirements be removed for its business services, consumer card,
24 operator service, and future private line, and customer network-type offerings;

1 (b) tariff filings for these uncapped offerings be presumed valid upon filing. If the Commission
2 institutes an investigation of a particular filing within seven days, the tariff filing will be
3 suspended until further order of the Commission; and

4 (c) any relaxation in the reporting requirements that may be adopted for AT&T also apply to
5 Legacy.

6 We understand that the alternative regulation orders were modified by Order No. 2001-997 so that
7 rate caps were established for operator-assisted calls where a consumer uses a local exchange
8 carrier's calling card to complete calls from locations which have not selected that local exchange
9 carrier as their toll provider.

10 **III. Managerial, Technical, and Financial Qualifications**

11 **Q. Does Legacy have sufficient managerial, technical, and financial resources and ability to**
12 **provide the telecommunications services proposed in its Application?**

13 A. Yes. Legacy has sufficient technical, financial, and managerial resources and the ability to provide
14 the telecommunications services for which authority has been sought herein. Legacy's personnel
15 represent a broad spectrum of business and technical disciplines, possessing many years of
16 individual and aggregate telecommunications experience. My qualifications and experience were
17 previously discussed in this testimony.

18 **Q. Please describe Legacy's technical and managerial capability in more detail.**

19 A. Curtis Brown is Legacy's founder and President. Mr. Brown has verifiable year-after-year success
20 in achieving revenue, profit, and growth objectives within several business environments. He has
21 over two decades of experience providing service to and working with city, county, and state
22 governments, and has built and managed multiple communication infrastructures.

23 Paul Truong is the Chief Technology Officer of Legacy. Mr. Truong has been with Legacy
24 since 2004 and has over twenty years of professional experience in the field of Information
25 Technologies. As a leader of Legacy's programming team, he has been instrumental in the

1 development of Legacy's ICON® inmate communication management system, billing system, IP
2 soft-switch for local and long – distance telecommunications service, Interactive Voice Response
3 (IVR) systems and customer call center applications.

4 Esmail Nabavian is the Director of Finance and has been a part of Legacy team for over
5 ten years. Mr. Nabavian is responsible for all aspects of finance and accounting, as well as
6 implementing and enforcing the Company's collection policies, goals and procedures and ensuring
7 financial controls are in place and followed.

8 Sheila Guerra, Vice President of Client Relations, has been with Legacy since 1999 and
9 has over three decades of telecommunications experience. She leads Legacy's Client Relations
10 Department and is responsible for ongoing customer support, including all National Account
11 Management staff.

12 Attached to this testimony as Exhibit A are executive profiles that explain the background,
13 experience, and expertise of members of Legacy's executive staff.

14 **Q. Are the executive profiles a record kept in the regularly conducted business of Legacy?**

15 A. Yes.

16 **Q. Please describe any managerial changes Legacy has implemented since the revocation of its**
17 **Certificate.**

18 A. As discussed in the Application, Legacy attempted to handle all regulatory compliance without
19 outside support. This arrangement proved unworkable, as Applicant was unaware of and failed to
20 comply with certain deadlines and filings, including those with this Commission. In order to
21 augment its managerial capabilities, Legacy has retained Inteserra Consulting Group, Inc.
22 ("Inteserra"), a regulatory consulting company with thirty years of experience in supporting
23 companies like Legacy and ensuring that they remain compliant with regulatory requirements.
24 With the assistance of Inteserra, Legacy operates and is in good standing in forty-nine states.

1 As part of the reinstatement of its Certificate, Legacy commits to working with the Office
2 of Regulatory Staff in fulfilling its obligations to the State Universal Service Fund, as well as to
3 any outstanding gross receipts assessments it may owe pursuant to S.C. Code Ann. § 58-3-100.

4 **Q. How does Legacy handle customer service requests?**

5 A. Legacy utilizes a nationwide, toll-free customer service telephone number (888) 719-5534 that is
6 available twenty-four (24) hours a day, seven (7) days a week. Customers may also contact the
7 company in writing at its headquarters address (Legacy Long Distance International, Inc., 10833
8 Valley View Street, Suite 150, Cypress, California 90630).

9 **Q. Please describe the financial condition of Legacy?**

10 A. Legacy has sufficient financial resources to guarantee its financial soundness. Legacy's most recent
11 financial statement was submitted as Exhibit C to the Application.

12 **Q. How will residents of South Carolina benefit from Legacy's services and presence in South**
13 **Carolina?**

14 A. Approval of Legacy's Application will promote the public interest by creating greater competition
15 in the provision of telecommunications services in South Carolina. Moreover, through Legacy,
16 customers will have access to seamless service for local services as well as intrastate, interstate and
17 international toll services. Legacy's participation in South Carolina's intrastate
18 telecommunications market will also expand the tax base and revenue sources for the State.

19 Granting Legacy's Application is in the public interest because it will enhance competition,
20 generating the benefits that result from competition, such as customer choice, a more efficient,
21 innovative, technologically advanced and diverse telecommunications infrastructure, higher
22 service quality and competitive prices in the State of South Carolina.

23 **Q. Does Legacy seek waivers of any of the Commission's regulations?**

24 A. Yes. Legacy is requesting the following waivers:

- 25 • Legacy requests an exemption from policies that might require a carrier to maintain its financial
26 records in conformance with Uniform System of Accounts ("USOA"). As a competitive

1 carrier, Legacy maintains its books in accordance with Generally Accepted Accounting
2 Principles; and therefore, does not possess the detailed cost data required by USOA.

- 3 • Legacy requests a waiver of the requirements of S.C. Reg. 103-610 that a carrier keep all
4 records required by the Commission's rules and regulations within the State of South Carolina.
5 Since the company's corporate offices are in California, maintaining its books and records in
6 South Carolina would be unduly burdensome. Legacy has a registered agent in South Carolina
7 and will make its books and records available to the Commission and ORS upon request.
- 8 • Legacy will comply with S.C. Reg. 103-631 by having its customer information listed in the
9 directories published by the incumbent LECs. These directories will be distributed to
10 Applicant's customers.
- 11 • Legacy requests a waiver of S.C. Reg. 103-612.2.3, the requirement to file operating maps with
12 the Commission since Legacy seeks statewide certification.
- 13 • Legacy has demonstrated its financial stability, and does not market to, and does not financially
14 rely upon, residential customers. Legacy therefore requests waiver of S.C. Reg. 103-607's
15 requirement that a bond be posted.

16 These waivers have been granted for other similarly situated carriers and Legacy requests that the
17 Commission provide Legacy with the same treatment.

18 **Q. Will the service Legacy intends to provide meet the service standards of the Commission?**

19 A. Yes, Legacy will meet the service standards of the Commission.

20 **Q. Will granting Legacy's Application adversely impact the availability of affordable local
21 exchange service?**

22 A. No.

23 **Q. Will Legacy support universally available telephone service at affordable rates as required
24 by the Commission?**

25 A. Yes.

1 **Q. Does this conclude your testimony?**

2 A. Yes. I would like to thank the Commission for this opportunity to provide information relevant to
3 Legacy's Application and am ready to provide any additional information that the Commission
4 may need in making its decision.

Curtis A. Brown

President



Professional Profile

Curtis founded Legacy Long Distance International, Inc. dba Legacy Inmate Communications in 1996. Curtis is a senior executive with verifiable year-after-year success achieving revenue, profit, and growth objectives within several business environments.

Curtis has extensive experience with highly engineered systems, which require deep understanding of critical business drivers in multiple markets and industries. He is highly successful in building relationships, seizing control of critical problem areas, and delivering on customer commitments. Over the past two decades, Curtis and his team have created a diversified facilities-based telecommunications company with gross annual revenues that exceed \$36 million. Curtis has a consistent record of delivering extraordinary results in growth and operational performance.

Contact Details



10833 Valley View St., Ste 150
Cypress, CA 90630



800-577-6534 Ext. 203
562-572-7930



CBrown@legacyinmate.com



www.legacyinmate.com

Experience & Technical Skills

- Over two (2) decades of experience providing service to and working with multiple city, county, and state governments
- Built and managed multiple communication infrastructures. Vastly experienced in IP and digital networks.
- Established multiple 24/7 call centers featuring both live personnel and interactive voice response systems.
- Manages public utility regulatory compliance in all fifty (50) U.S. states and the Federal Communications Commission (FCC).
- Delivered year-over-year growth averaging 18% annually over the past decade
- Led management team in identifying customer needs, reduced and streamlined response times, overhead expenses, implemented, overhauled and improved operating processes and systems, established quality assurance and differentiated product lines.
- Prior to founding Legacy, Curtis served as President of Public Communications Network (PCN), a California-based company that provided communication resources to commercial, hospitality, and correctional facilities.
- Curtis performed as General Manager of Operator Services with Communication Telesystems International (CTS), which offered a myriad of operator-based products for pay telephone communication companies, hotels/motels, hospitals, universities, correctional facilities, and various local and long-distance companies.
- Curtis proudly served in the United States Navy for four (4) years.

Education, Certifications & Affiliations

Southern Illinois University
B.A., Business Administration

Paul Truong

Chief Technology Officer (CTO)




Professional Profile


Paul Truong has been a key member of the Legacy team since 2004 and has extensive professional experience in the field of Information Technologies spanning over twenty (20) years, having held positions as a system analyst, software developer, webmaster, and web programmer at other notable companies.

Paul leads Legacy's internal team of programmers and has been instrumental in the development of Legacy's iCON® inmate communication management system, billing system, IP soft-switch for local and long-distance telecommunications service, Interactive Voice Response (IVR) systems, and customer call center applications.

Paul keeps abreast of new and emerging technologies and draws on his extensive computer programming education and experience to design new, innovative features and services to address changing client needs, market demand, and industry trends.

Contact Details

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Cypress, CA 90630

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 ptruong@legacyinmate.com

 www.legacyinmate.com

Experience & Technical Skills

- Programming languages: Visual Basic, Turbo Pascal, FORTRAN, C, C++, Java, Visual J++, and SQL/PL
- Internet Languages/Scripting: HTML, JavaScript, JQuery, and Java Applet
- MS SQL 2000 server, MS SQL 2008, MS SQL2012, Oracle, MySQL, and MS Access
- Programming software: MS Visual Studio, Net Beans, and Adobe
- Member of ResearchGate organization for collaborative scientific research
- Microsoft Certified Database Administrator (MCDBA)
- Reviews correctional facility client RFP technical requirements and ensures compliance
- Coordinates with client IT departments and other technology partners
- Builds custom features or configurations for specific correctional facility clients depending on unique needs
- Oversees data integrations with Jail Management System (JMS) and Commissary providers
- Prepares business analysis reports and works closely with other department managers and executives to brainstorm ways to reduce operating costs, streamline company processes, improve sales and marketing strategy, and prioritize major information technology projects

Education, Certifications & Affiliations

Walden University
Minneapolis, Minnesota
Doctor of Information Technology
Expected 2018

Walden University
Minneapolis, Minnesota
M.S., Software Engineering
2012

University of California, Irvine
Irvine, California
B.S., Computer Engineering
2000

Esmail Nabavian

Director of Finance



Professional Profile

A valued part of the Legacy team since 2006, Esmail provides strategic and forward-thinking financial leadership as Legacy's Director of Finance.

As the Director of Finance, Esmail is responsible for all aspects of finance and accounting, including forecasting and customer account analysis, treasury functions and establishing strong banking and lender relationships, and risk management and property, casualty and health insurance programs.

Contact Details

10833 Valley View St., Ste 150
Cypress, CA 90630

800-577-5534 Ext 204

ENabavian@legacyinmate.com

www.legacyinmate.com

Experience & Technical Skills

- Responsible for implementing and enforcing the Company's collection policies, goals, and procedures and ensuring financial controls are in place and followed
- Serves as a Senior Management team member and reports directly to Legacy's President & CEO
- Served as the Chief Financial Officer at a multimillion dollar international import and manufacturing company where he directed and had accountability for the company's accounting practices, general and property accounting, cost accounting, cash flow analysis and working capital
- Reviewed terms and conditions of legal documents, leases and contracts, and booked Foreign Exchange Currencies to hedge from currency fluctuations
- Reconciled inventories for supplies and materials, fixed assets, journal entries for month end closing; property taxes for 57 locations and special projects

Education, Certifications & Affiliations

California State University, Fullerton

B.A., Business Administration

Concentration in Accounting

1983

Santa Ana College

A.A., Business Administration

1982

Sheila Guerra

Vice President of Client Relations





Professional Profile

A part of the Legacy team since 1999, Sheila Guerra has over three decades of telecommunications experience and heads Legacy's Client Relations department.

Sheila is responsible for ongoing customer support to the facilities, including all National Account Management staff. Sheila also serves on Legacy's Board of Directors.

Contact Details

 10833 Valley View St., Ste 150
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 800-577-5534 Ext. 254
562-260-2154

 SGuerra@legacyinmate.com

 www.legacyinmate.com

Experience & Technical Skills

- Over three decades of telecommunications and operator service experience
- Sheila previously worked for AT&T, U.S. Long Distance, and Qwest where she held positions as Live Operator, Operator Center Manager, National Account Manager, Communication Consultant, Sales Manager, and Client Support Specialist
- Sheila was employed at Dallas-based Southwestern Bell from 1978 to 1991

Education, Certifications & Affiliations

San Antonio College

San Antonio, Texas

General education coursework

Blessed Sacrament Academy

San Antonio, Texas

1977

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IN RE:

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Provide Intrastate Resold)
Telecommunications Services)
)

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Sowell Gray Robinson Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below the Direct Testimony of Rafael Quinto on behalf of Legacy Long Distance International, Incorporated the foregoing matter via US Mail and/or electronic mail:

Jenny Pittman, Counsel
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
jpittman@regstaff.sc.gov

Dated at Columbia, South Carolina this 23rd day of May, 2018.